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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,270	08/09/2001	Thomas D. Petite	081607-1170	5549

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EXAMINER

HYUN, SOON D

ART UNIT	PAPER NUMBER
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2616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No. 09/925,270	Applicant(s) PETITE ET AL.	
	Examiner Soon D. Hyun	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-10 and 12-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-10 and 12-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-4, 6-10 and 13-24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claims 1, 3, 4, 8, 13-15, 17, 18, 19 and 22 are objected to because of the following informalities:

In each claim of 1, 3, 4, 8, 13-15, 17, 18, and 19, "the transmit signal" (e.g., claim 1, line 16 and claim 13, line 14) should be changed to -- the transmit message -- to be consistent through claim.

In claim 13, line 13, "identification" should be changed to -- communication --.

In claim 22, line 10, "an" before "emergency" should be changed to --the--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6-10 and 13-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheffer et al (U.S. Patent No. 5,568,535) in view of Crager et al (U.S. Patent No. 4,058,672).

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Regarding claims 1-4, 7, 13-16, 18, and 22, Sheffer et al (Sheffer) discloses a mobile communication device (a cellular alarm unit 10 in FIG. 1) for use with an automated monitoring system for monitoring and controlling a plurality of remote devices (alarm sensors 12 in FIG. 1, 23-25 in FIG. 2), the automated monitoring system comprising a site controller (a cell site 16 in FIG. 1) in communication with the plurality of remote devices via a plurality of transceivers (not shown, but inherent in the cell site 16) defining a wireless communication network ((a cellular network between 10 and 16 in FIG. 1 using a radio frequency signal (claim 3) and low power (claim 4)) and in communication with a host computer (a central monitoring station 14 in FIG. 1) via a wide area network (a network between 14 and 18 in FIG. 1), the mobile communication device comprising:

memory (42 in FIG. 2) comprising a unique identifier (col. 5, lines 8-10) associated with the mobile communication device;

logic (a message processor 40 in FIG. 2) responsive to a transmit command (an alarm code from a receiver 20, col. 6, line 66-col. 7, line 2) to retrieve the unique identifier from the memory and generate a transmit message (a designated emergency message (claim 7), col. 6, lines 66-67) using a predetermined communication protocol being implemented by the wireless communication network, the transmit message comprising the unique identifier such that the transmit message may be received by the site controller via the wireless communication network and such that the site controller may identify the

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mobile communication device and notify the host computer of the transmit message;

a wireless transmitter (a transceiver 36 in FIG. 2) to communicate over the wireless communication network and to provide the transmit message to the wireless communication network;

wherein the transmit message generated based on the predefined communication protocol comprises a data packet comprising a command indicator (a type of alarm) specifying a predefined command code, a current packet indicator (a time of transmission) which identifies the current packet, system owner information (a data payload) and a message number (a packet number) identifying the current message, col. 7, lines 15-59.

However, Sheffer does not explicitly teach that the data packet further comprising a source address and a destination address, a checksum field for performing a redundancy check, a total packet indicator which indicates the total number of packets in the current message and a packet length indicator which indicates a total number of bytes in the current packet.

Crager et al (Crager) discloses a packet format comprising a source address and a destination address, a checksum field for performing a redundancy check, a total packet indicator which indicates the total number of packets in the current message for a packet switched communication system (FIG. 18 and 19). Those of skill in the art would have been motivated by Crager to incorporate the additional indicators into Sheffer for more reliable communications between a sender and a receiver. Sheffer and/or Crager still

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does not teach a packet length indicator which indicates a total number of bytes in the current packet. It is **the Official Notice** that a packet format comprising a packet length indicator indicating the total length of the packet is known in the art.

Therefore, it would have been obvious to one having ordinary skill in the art to incorporate the packet format of Crager into Sheffer for more reliable communications between a sender and a receiver.

Regarding claims 6 and 17, Sheffer further discloses that the signal is encrypted (coded) by ASCII format (col. 7, lines 20-21).

Regarding claims 8, 19, 23, and 24, Sheffer further discloses that the transmit message is retransmitted periodically until an acknowledgement command (a reset command 92, col. 7, lines 50-52) is received from the central monitoring station 14 via the site controller.

Regarding claims 9 and 20, Sheffer discloses that the cellular alarm unit 10 is integrated with a handheld computer (a microprocessor based modified transceiver 22 in FIG. 2).

Regarding claims 10 and 21, Sheffer further discloses that the cellular alarm unit is integrated with a wireless telephone (col. 4, line 66-col. 5, line 1).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Soon D. Hyun whose telephone number is 571-272-3121. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris H. To can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



S. Hyun
1/5/2007



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